

FILED

JUN 28 2016

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *[Signature]* DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA)

Plaintiff,)

v.)

DANIEL DURLAND,
aka Stomper)

Defendant.)

Magistrate Case No. **'16MJ1852**COMPLAINT FOR VIOLATION

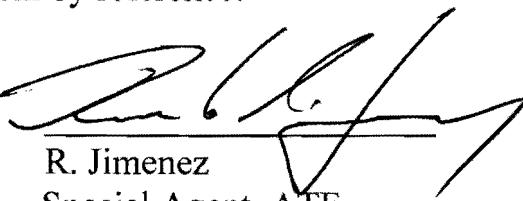
Title 18, U.S.C. § 922(g)(1) –

Possession of firearm by a felon
(Felony)

The undersigned Complainant, being duly sworn, states:

On or about June 17, 2016, within the Southern District of California, Daniel DURLAND, a person having been previously convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly and intentionally possess a firearm that traveled in and affected interstate commerce, to wit: a Glock semi-automatic .40 caliber pistol, bearing serial number RKX311; in violation of 18, United States Code, Section 922 (g) (1).

And the complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.



R. Jimenez

Special Agent, ATF

Sworn to me and subscribed in my presence this 28 day of June 2016.


HONORABLE BERNARD G. SKOMAL

UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

1 On June 17, 2016, National City Police Department (“NCPD”) Officer
2 Kalankiewicz was in full police uniform driving a marked police vehicle in the vicinity
3 of the 500 block of National City Boulevard. He was driving behind a black Mercedes
4 Benz.

5 The black Mercedes made a series of abrupt turns and then parked in to the
6 parking lot of the National City Motel, located at 510 National City Boulevard.
7 Officer Kalankiewicz entered the parking lot and parked near the clerk’s office, with no
8 lights or sirens activated. He made sure that his patrol vehicle was not blocking the
9 path of the black Mercedes.

10 Officer Kalankiewicz noticed that the black Mercedes was occupied by three
11 people. He exited his patrol vehicle and approached with the intent to initiate a
12 consensual contact. As he approached, the driver of the vehicle, later identified as
13 Daniel DURLAND, opened the driver’s side door. As DURLAND opened the door,
14 Officer Kalankiewicz said “What’s up man? Can I talk to you for a second?”
15 DURLAND looked at Officer Kalankiewicz but did not respond.

16 Officer Kalankiewicz used his flashlight to illuminate DURLAND. In plain
17 view, he saw a white-coated glass pipe used to ingest methamphetamine in the driver’s
18 side map book pocket. At that point, Officer Kalankiewicz believed that he had
19 probable cause to arrest DURLAND for a violation of California Health and Safety
20 Code Section 11364.

21 Three other members of the NCPD arrived to assist. All three occupants were
22 removed from the vehicle. DURLAND was placed under arrest. Incident to his arrest,
23 officers found \$159 dollars and suspected methamphetamine in his pants pockets. The
24 passengers were identified as Christina Tovar and Fernando Quirino. Tovar and
25 Quirino both told officers that they barely knew DURLAND and that he had picked
26 them up.

1 The officers then searched the black Mercedes. In the lower compartment of the
 2 center console, they located a black semi-automatic pistol. During the course of the
 3 investigation, officers asked DURLAND who the car belonged to. In response, he said
 4 "Sorina Andrade." A records check confirmed that Sorina Andrade was the actual
 5 owner.

6 Record checks on DURLAND revealed that he was a documented Paradise Hills
 7 gang member with the moniker Stomper. It also revealed the following criminal
 8 history:

CONVICTION DATE	COURT OF CONVICTION	CHARGE	SENTENCE
01/25/2000	CASC – San Diego	VC - 10851 – Taking Vehicle w/o Owner's Consent (F)	270 days '00 Prob Revoc. - 16 mos prison
5/25/2000	CASC – San Diego	HS - 11377 – Poss Cntl Sub (F)	16 mos prison
10/16/2001	CASC – San Diego	VC - 10851 – Taking Vehicle w/o Owner's Consent (F)	3 years prison
9/2/2005	CASC – San Diego	PC – Resisting Exec Officer (F) PC 1192.7 – W/ GBI VC 2800.2 – Evading (Felony)	4 years prison
12/8/2009	CASC – San Diego 08-CR-4407-H	18 U.S.C. 922(g) – Felon in Possession of Firearm (Felony)	86 months prison 3 years S/R

1 The firearm was seized and inspected. It was determined to be a black Glock
2 semi-automatic .40 caliber pistol, bearing serial number RKX311. The Glock had
3 been reported stolen from a residential burglary in San Diego. When it was seized by
4 the NCPD it had 9 live rounds of ammunition loaded in the magazine. Preliminary
5 checks also revealed that the Glock was most likely not manufactured in California.
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28